



UNITED STATES
OFFICE OF PERSONNEL MANAGEMENT

Washington, DC 20415-1000

OFFICE OF THE DIRECTOR

OCT 31 2003

The Honorable David S. C. Chu
Under Secretary of Defense
for Personnel and Readiness 4000
Defense Pentagon Washington,
D.C. 20301-4000

Dear Dr. 

I am pleased to grant your request on behalf of the Secretary, Department of Defense (DoD), for authority to extend waivers of dual compensation reduction (salary offset) and Voluntary Separation Incentive Pay (VSIP) repayment requirements for current employees beyond the 2-year limit of your current delegated "9-11" waiver authority. In addition, I am granting the Secretary an exception to the 2-year limit for temporary appointments under 5 CFR 213.104(b) and 5 CFR 316.401(d).

This authority enables the Secretary to approve, on a case-by-case basis, extension requests from DOD components when he determines that both severe recruiting difficulty and no other reasonable staffing options exist. Covered positions must respond to the state of national emergency declared by the President, directly support actions in Iraq or perform mission critical functions from which the incumbent was called to active duty. Approved waivers and extensions may be for 12 months or less and must include the information required by 5 CFR parts 553 and 576. Further, if after vigorous continuing recruiting and training efforts the DOD component clearly demonstrates continuing severe difficulty recruiting or retaining a qualified employee for a particular position, the Secretary may approve further extension under the criteria above. The maximum waiver period for any individual under this and prior 9-11 waiver authorities is 48 months. DoD must maintain a record of each approved extension for 3 years and make declassified information from this record available upon request.

This extension authority is effective on the date of this letter and expires at the end of the current state of national emergency or on September 30, 2005, whichever occurs sooner. The Secretary may redelegate this extension authority to you and/or another senior DoD headquarters official familiar with 9-11 staffing problems, options and flexibilities. Please note that I do not have statutory authority to approve (or delegate approval of) these waivers retroactively. Therefore, extensions must be effective on or after the date of this letter.

Please direct questions on using this delegated authority to OPM's Deputy Associate Director for National Security Agencies, Alan Cigich, at 202-606-0411 or acigich@opm.gov.

Sincerely,

Kay Coles James
Director